

MACOMB TOWNSHIP BOARD MEETING MINUTES
REGULAR MEETING HELD WEDNESDAY, MARCH 28, 2001
AT 7:00 P.M.

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LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
19925 TWENTY-THREE MILE ROAD
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
MARIE E. MALBURG, TREASURER
NORMAN J. SNAY, CLERK
TRUSTEES: DINO F. BUCCI, JR.
JANET DUNN
KENNETH MEERSCHAERT, JR.
CHARLES OLIVER

ABSENT: NONE
(Additional attendance record on file with Clerk)

CALL MEETING TO ORDER

Supervisor BRENNAN called the meeting to order at 7:00 P.M.

1. ROLL CALL.

Clerk SNAY called roll. All Present.

2. PLEDGE OF ALLEGIANCE.

3. APPROVAL OF AGENDA ITEMS (with any addendum's)

Additions:

- 17a. Request to conduct Annual Tootsie Roll Sale; Knights of Columbus.
- 23c. Water/Sewer Department request authorization for Surplus Equipment to go to County Public Auction.
- 24a. Request authorization from Miller, Canfield, Paddock and Stone, P.L.C. to represent McDonalds Corporation.
- 24b. Water/Sewer Department Employee Request for Leave of Absence.
- 24c. Request authorization for Fire Department to submit plan to the Planning Commission regarding station No. 2.

Tabled:

Agenda Item No. 10 at the request of the Township Attorney.

MOTION by DUNN seconded by MALBURG to approve agenda as amended.

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MOTION carried.

4. APPROVAL OF BILLS.

MOTION by MEERSCHAERT seconded by OLIVER to authorize payment of bills as submitted.

**FOR THIS MOTION: MEERSCHAERT, OLIVER, BUCCI, DUNN, SNAY,
MALBURG, BRENNAN.**

OPPOSED: NONE

ABSENT: NONE

MOTION carried.

5. APPROVAL OF MEETING MINUTES.

MOTION by DUNN seconded by MALBURG to approve the minutes of March 14, 2001 as presented.

MOTION carried.

6. DEPARTMENT MONTHLY REPORTS

- A. Macomb County Sheriffs Department.
- B. Building Department
- C. Fire Department
- D. Water/Sewer Department
- E. Parks and Recreation Department

MOTION by OLIVER seconded by MEERSCHAERT to approve Department Monthly Reports as a consent agenda.

MOTION carried.

7. PUBLIC COMMENTS

Susan Waltman a representative from the office of Leon Drolet, State Representative, thanked the Township for their support and offered any assistance if needed to the Board and audience.

Public discussion was held regarding the dangerous location of residential mail boxes on 22 Mile Road.

PUBLIC HEARING:

- 8. Consideration of Community Development Block Grant Projects.

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Public Hearing began at 7:08 p.m.

Supervisor BRENNAN reviewed a detailed report presented to the Board of the Block Grant Funds available and each request submitted.

Board discussion was held regarding funds available and requests submitted.

Supervisor BRENNAN asked to the Board to review the report which will be addressed at the next board meeting.

Supervisor BRENNAN stated that this past week we realized we have additional program income of \$4,000.00, that is from a surplus vehicle. Among (3) bids, it was sold to Shepard Motor Sales. We were unable to advertise this program income due to the Public Hearing advertising deadline.

Supervisor BRENNAN asked the audience if there were any additional questions or comments.

Public Portion: None

MOTION by DUNN seconded by MEERSCHAERT to add four thousand dollars and 00/100 (\$4,000.00) of Program Income to Allocation for a total of ninety four thousand dollars and 00/100 (\$94,000.00).

MOTION carried.

MOTION by DUNN seconded by OLIVER to transfer one thousand four hundred ninety nine dollars and 00/100 (\$1,499.00) from the Macomb Family Services Senior Homemaking Program Project No. A7-10-3C fund to the Family's at Risk Program Project No. BO-10-3C.

MOTION carried.

MOTION by DUNN seconded by MALBURG to redirect seven thousand five hundred dollars and 00/100 (\$7,500.00) from the Recreation Master Plan Fund Project No. BO-10-7A and five thousand dollars and 00/100 (\$5,000.00) from the Non-Motorized Pathway Master Plan Fund Project No. BO-10-7B to the Recreation Needs Assessment Survey Project No. BO-10-7C.

MOTION carried.

MOTION by MALBURG seconded by BUCCI to close the Public Hearing at 7:26 p.m.

MOTION carried.

PLANNING COMMISSION:

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9. Tentative Preliminary Plat; Strathmore Subdivision; Located on the east side of Luchtman Road and 1079 feet south of 26 Mile Road; Section 4. L & C 26 Mile Road Properties, Petitioner. Permanent Parcel No. 08-04-100-030.

Mr. Bernard Lynden, Planning Consultant, gave a brief description of the proposed subdivision and surrounding property. Mr. Lynden stated the recommendation of the Planning Commission to approve the plat for a period of one (1) year contingent upon the fulfilling of the standard and recommended conditions.

Petitioner Present: Roy Curcuru

Public Portion: None

Board discussion was held regarding lot depth.

MOTION by MEERSCHAERT seconded by MALBURG to approve the Tentative Preliminary Plat for Strathmore Subdivision for the period of one (1) year (expiring March 28th, 2002) contingent upon posting the required bond and the fulfilling of the conditions recommended by the Planning Commission .

MOTION carried.

10. Amendment to the Zoning Ordinance; Planned Unit Development – Section 10.0705.

Tabled

11. Amendment to the Zoning Ordinance to Eliminate the 30% Land Coverage requirements for Swimming Pools – Section 10.0704E.

Mr. Bernard Lynden, Planning Consultant, reviewed the request and stated the recommendation of the Planning Commission.

Public discussion was held regarding if patio's are considered part of lot coverage.

MOTION by DUNN seconded by MEERSCHAERT to adopt the amendment to the Zoning Ordinance to Eliminate the 30% Land Coverage requirements for Decks and Swimming Pools – Section 10.0704E.

FOR THIS MOTION: DUNN, MEERSCHAERT, BUCCI, OLIVER, MALBURG, SNAY, BRENNAN.

OPPOSED: NONE

ASENT: NONE

MOTION carried.

NEW BUSINESS:

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12. FMLA (Family Medical Leave Act) Entitlement Period. (Tabled from meeting of March 14, 2001).

Supervisor BRENNAN reviewed the request and asked the Board to consider the matter which will be addressed at the next board meeting.

Public Portion: None

13. Revision of DOT (Department of Transportation) Drug and Alcohol Testing Procedure.
a. CDL Licensed Employees
b. AFSCME/MAFF Contract

Supervisor BRENNAN reviewed the request.

Larry Dloski, Township Attorney, also briefly reviewed the request and stated his recommendation.

Public Portion: None

Board discussion was held.

MOTION by SNAY seconded by DUNN to direct the Supervisor's Office to contact the AFSCME and MAFF bargaining unit to revise the section of the bargaining agreement.

MOTION carried.

14. Request Variance from Engineering Design Standards/Storm Drainage; St. Francis Animal Hospital.

Mr. James VanTiflin of Spalding DeDecker, reviewed the request and stated his recommendation.

Board discussion was held regarding the approving of the engineering plans.

Public Portion: None

MOTION by DUNN seconded by OLIVER to approve the Engineering Design Standards/Storm Drainage variance for St. Francis Animal Hospital subject to engineering review and approval.

MOTION carried.

15. Request to Schedule a Public Hearing Date for Street Lighting; Evergreen Estates Subdivision.

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Clerk SNAY stated his recommendation of Wednesday, April 25th, 2001 at 7:00 p.m.

MOTION by OILVER seconded by MALBURG to grant the request to schedule a Public Hearing for Street Lighting; Evergreen Estates Subdivision for Wednesday, April 25th, 2001 at 7:00 p.m.

MOTION carried.

16. Request for Subdivision Model Permits; Summerfield Estates Subdivision Phase 5. Royal Tee Homes, Petitioner.

Supervisor BRENNAN stated the departments had reviewed the request and were recommending approval for the lot being requested.

Public Portion: None

MOTION by OLIVER seconded by MALBURG to grant Model Permits for lot No.'s 240 to Contour Design, 246 to Malibu Homes and 254 to Attino Homes within the Summerfield Estates Subdivision Phase 5 contingent upon the posting of a seven thousand five hundred dollar and 00/100 (\$7500.00) bond per model and the following of the Standard Model Agreement.

MOTION carried.

17. Request of Condominium Models & Club House Permits; Warwick Village.

Supervisor BRENNAN stated the departments had reviewed the request and stated his recommendation.

Petitioner Present: Mr. Filippo Orlando

Board discussion was held regarding street access and Club House permit.

Public Portion: None

MOTION by DUNN seconded by OLIVER to grant Model Permit for Building No.1 only within the Warwick Village Condominium Community contingent upon the Fire Chief's approval and the posting of a seven thousand five hundred dollar and 00/100 (\$7500.00) bond per model and the following of the Standard Model Agreement and deny the Club House permit request.

MOTION carried.

- 17a. Request to conduct Annual Tootsie Roll Sale; Knights of Columbus.

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Supervisor BRENNAN reviewed the letters of request to the Board and public.

Public Portion: None

MOTION by DUNN seconded by MALBURG to the grant the request for the Knights of Columbus; John Cardinal Dearben Council No. 744 & St. Isidore Council No. 7200 to conduct the Annual Mental Retardation Tootsie Roll Drive on April 6, 7 and 8th, 2001 within the Township of Macomb.

MOTION carried.

WATER/SEWER DEPARTMENT:

18. Easement Encroachment Agreement, Terry and Laurice Crabtree, 17092 Kirsten Drive, Macomb MI 48044.

David Koss, Water/Sewer Superintendent, stated this was a standard agreement for a pool and was recommending approval. Mr. Koss also stated that the petitioner understands and accepts the conditions of this agreement.

Public Portion: None

MOTION by MEERSCHAERT seconded by MALBURG to authorize an easement encroachment agreement for a pool for Lot #278, 17092 Kirsten Drive in the Huntington Woods Subdivision No.8.

MOTION carried.

19. Approval of Annual Service Agreement for Pump Station Elevators.

David Koss, Water/Sewer Superintendent, reviewed the service agreement for the six (6) pump stations and stated that this testing is required by the State of Michigan Code.

Public Portion: None

Board discussion was held.

MOTION by DUNN seconded by MALBURG to approve the Service Agreement for the total cost of five hundred and forty dollars (\$540.00) per quarter and five thousand three hundred four dollars (\$5,304.00) for testing and authorize the Township Supervisor and Clerk to sign the contract agreement.

MOTION carried.

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20. Approval of Change Order No. 2, Patnick Sanitary Sewer, MA 00-02 & MA 97-21, Pamar Enterprises.

David Koss, Water/Sewer Superintendent, reviewed the request and stated this change order is the result of the MCRC requiring that all driveway culverts removed during construction be replaced with new culverts and end sections.

Public Portion: None

MOTION by OLIVER seconded by MALBURG to approve Change Order No.2; Patnick Sanitary Sewer; MA 00-02 & MA 97-21; Pamar Enterprises in the amount of seven thousand seven hundred twenty seven dollars and 18/100 (\$7,727.18).

FOR THIS MOTION: OLIER, MALBURG, DUNN, BUCCI, MEERSCHAERT, SNAY, BRENNAN.

OPPOSED: NONE

ASSENT: NONE

MOTION carried.

21. Approval of Pay Certificate No. 2, Patnick Sanitary Sewer, MA 00-02 & MA 97-21, Pamar Enterprises.

David Koss, Water/Sewer Superintendent, stated his office and the Township Engineers of Spalding DeDecker & Assoc. had reviewed the pay certificate and were recommending approval for this payment.

Public Portion: None

MOTION by DUNN seconded by OLIVER to authorize the payment of Pay Certificate No. 2; Patnick Sanitary Sewer MA 00-02 & MA 97-21, Pamar Enterprises in the amount of sixty two thousand fourteen dollars and 78/100 (\$62,014.78).

MOTION carried.

22. Approval of Change Order No. 1, 23 Mile Road Sanitary Sewer, MA 00-31, Dan's Excavating.

David Koss, Water/Sewer Superintendent, reviewed the request and stated this change order is the result of larger manholes required to accommodate the proposed sewer.

Public Portion: None

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MOTION by OLIVER seconded by MALBURG to approve Change Order No.1; 23 Mile Road Sanitary Sewer; MA 00-31; Dan's Excavating in the amount of two thousand nine hundred thirty one dollars and 00/100 (\$2,931.00).

MOTION carried.

23. Approval of Purchase Requisitions:
- a. SLC Meter Service
 - b. Contractors Connection

David Koss, Water/Sewer Superintendent, reviewed the purchase requisitions and stated his recommendation to approve.

Public Portion: None

MOTION by DUNN seconded by OLIVER to authorize the payment of the purchase requisition to SLC Meter Service for the total amount of six thousand four hundred forty eight dollars and 36/100 (\$6,448.36).

MOTION carried.

MOTION by DUNN seconded by OLIVER to authorize the payment of the purchase requisition to Contractors Clothing for the amount of five thousand two hundred forty six dollars and 15/100 (\$5,246.15).

MOTION carried.

- 23c. Water/Sewer Department request authorization for Surplus Equipment to go to County Public Auction.

David Koss, Water/Sewer Superintendent, reviewed the request and presented a list of items to the Board.

MOTION by DUNN seconded by OLIVER to grant authorization for the Water/Sewer Department surplus equipment to go to the County Public Auction.

MOTION carried.

BOARD COMMENTS:

24. Supervisor's Comments
- a. Request authorization from Miller, Canfield, Paddock and Stone, P.L.C. to represent McDonalds Corporation.

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Supervisor BRENNAN reviewed the letter of request submitted from LeRoy L. Asher, Jr. of Miller, Canfield, Paddock and Stone, P.L.C.

Board discussion was held.

MOTION by DUNN seconded by OLIVER to waive potential conflict as requested.

MOTION carried.

- b. Water/Sewer Employee Request for Leave of Absence.

Supervisor BRENNAN reviewed the letter of request submitted .

Board discussion was held regarding length of leave and extended medical coverage.

Public Portion: None

MOTION By OLIVER seconded by DUNN to authorize the payment of extended medical benefits.

MOTION carried.

MOTION by OLIVER seconded by DUNN to approve the Leave of Absence as requested.

MOTION carried.

- c. Request authorization for Fire Department to submit plan to the Planning Commission regarding station No. 2.

Supervisor BRENNAN reviewed the request.

Public Portion: None

MOTION by DUNN seconded by MALBURG to authorize the Fire Department to proceed and submit the application to go before the Planning Commission.

MOTION carried.

25. Clerk's Comments

Clerk SNAY expressed his thanks to the Water/Sewer Department for their help on election day.

26. Treasurer's Comments

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Treasurer MALBURG stated she had received phone calls regarding requests for tax information and asked the Board for direction in the proper procedure in providing this information.

27. Trustee's Comments

None

ADJOURNMENT

MOTION by MEERSCHAERT seconded by DUNN to adjourn the meeting at 8:11 p.m.

MOTION carried.

Respectfully submitted,

John D. Brennan, Supervisor

Norman J. Snay, Clerk

Eva M. Mayer, Recording Secretary

EMM

